



**US Army Corps
of Engineers** ®
New England District

PUBLIC NOTICE

696 Virginia Road
Concord, MA 01742-2751

Date: June 13, 2006
Comment Period Ends: July 13, 2006
File Number: NAE-2005-3311
In Reply Refer To: Paul Sneeringer @ 978-318-8491
Or by e-mail: paul.j.sneeringer@nae02usace.army.mil

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

APPLICANT

Boston Tea Party Ship, Inc., 380 Dorchester Avenue, South Boston, Massachusetts 02127

ACTIVITY

This project involves the reconstruction and expansion of the existing Tea Party Ship & Museum on the Fort Point Channel. A detailed description and plans of the applicant's activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed over the Fort Point Channel north of the Congress Street Bridge at 306 Congress Street Boston, Massachusetts. The proposed location on the USGS Boston South quadrangle sheet is at 42° 21' 6.6" N; 71° 03' 5.9 W.

AUTHORITY

Permits are required pursuant to:

- ☒ XX Section 10 of the Rivers and Harbors Act of 1899
- ☐ Section 404 of the Clean Water Act
- ☐ Section 103 of the Marine Protection, Research and Sanctuaries Act).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue,

modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Paul Sneeringer at (978) 318-8491, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

Essential Fish Habitat (EFH) has been designated within Boston Inner Harbor for a total of 26 species of economically valuable marine fishery species. Listed species include Atlantic cod (*Gadus morhua*), winter flounder (*Psuedopleuronectes americanus*), yellowtail flounder (*Pleuronectes ferruginea*), windowpane flounder (*Scopthalmus aquosus*), American plaice (*Hippoglossoides platessoides*), Atlantic butterfish (*Peprilus triacanthus*), and Atlantic mackerel (*Scomber scombrus*). The Boston Tea Party Ship & Museum Restoration project will impact approximately 0.75 acres of EFH. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfill requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

CENAE-R
FILE NO. NAE-2005-3311

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

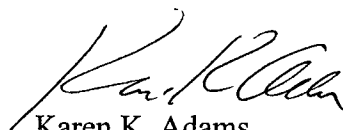
The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

The following authorizations have been applied for, or have been, or will be obtained:

- (XX) Permit, License or Assent from State.
- (XX) Permit from Local Wetland Agency or Conservation Commission.
- () Water Quality Certification in accordance with Section 401 of the Clean Water Act.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.



Karen K. Adams
Chief, Permits & Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____


PROPOSED WORK AND PURPOSE

This project involves the installation of structures within the Fort Point Channel as part of the reconstruction and expansion of the Boston Tea Party Ship & Museum facility. The Boston Tea Ship & Museum site is located off of the Congress Street Bridge at 306 Congress Street, Boston, Massachusetts. Jurisdictional impacts associated with this project include the demolition of pile-supported structures and the removal of floating portions of the existing museum facility (approximately 10,000 square feet), the construction of a new pile-supported and floating museum facility (approximately 17,500 square feet) with three permanently moored vessels. Utility conduits for the facility will be attached to the Congress Street bridge substructure. No dredging has been proposed as part of this project. Construction access will be provided via barges. The applicant proposes to install and to maintain a full depth bottom-anchored silt curtain and floating boom during demolition and construction operations in order to contain construction debris. The work is described on the enclosed plans entitled "BOSTON TEA PARTY SHIP, INC.," on a total of 10 sheets, and dated "02-02-06."



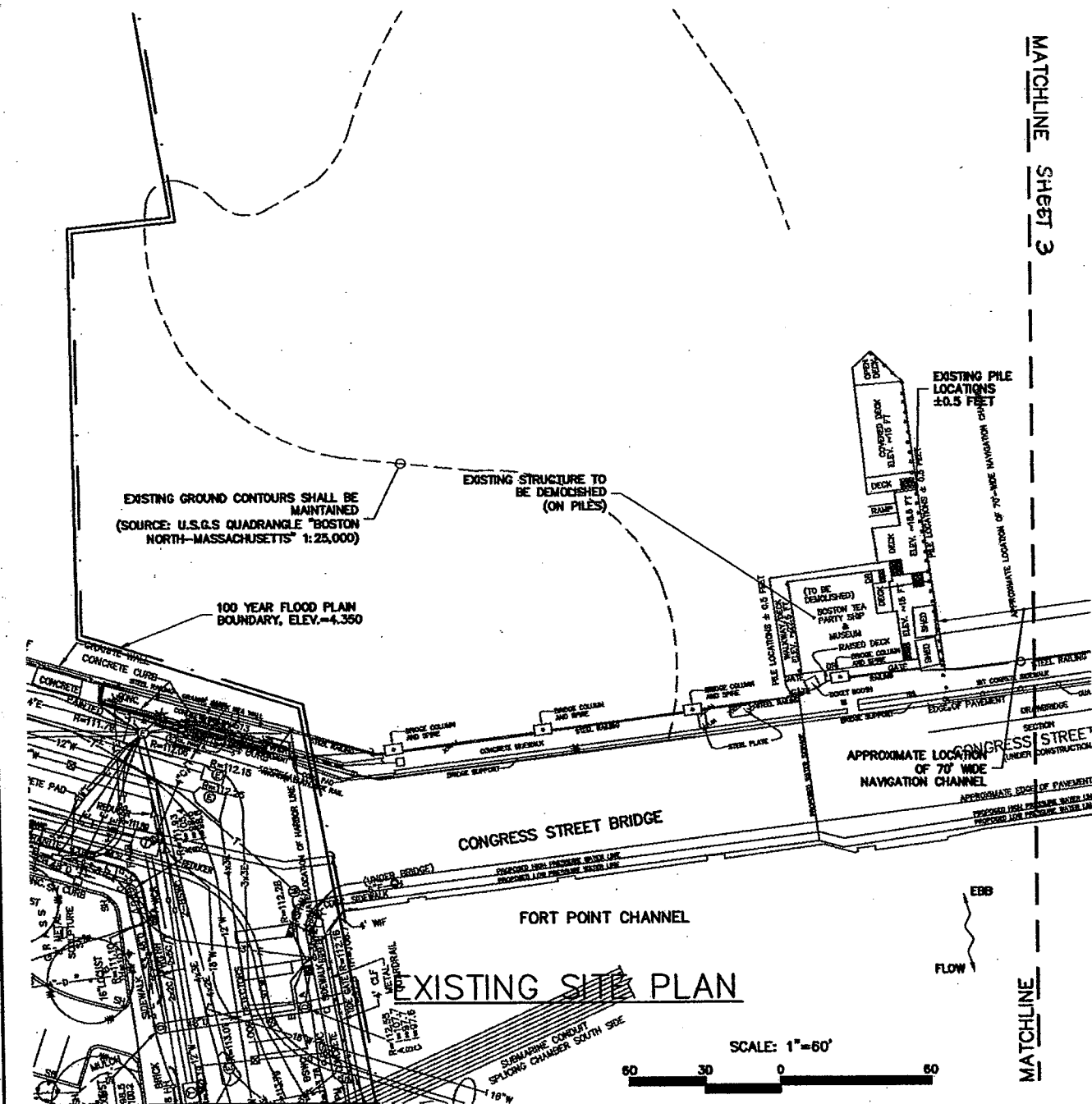
SOURCE: U.S.G.S QUADRANGLE
"BOSTON NORTH—MASSACHUSETTS"
1:25,000

SCALE: 1"=1000'

LAT/LONG: 42.3520°N, 71.0515°W		NAE - 2005 - 3311	
PURPOSE: BOSTON TEA PARTY SHIP AND MUSEUM		TITLE: Boston Tea Party Ship and Museum PLAN	APPLICATION BY: BOSTON TEA PARTY SHIP. INC.
100 YR FLOOD ELEV	10.00	 JUDITH NITSCH ENGINEERING, INC. CIVIL ENGINEERING • LAND SURVEYING TRAFFIC ENGINEERING • PLANNING • GIS SERVICES 196 Lincoln Street • Suite 200 • Boston, MA 02111-2403 T: (617) 538-0963 • F: (617) 538-6472 • www.jnei.com	IN: BOSTON
MEAN TIDE LEVEL	0.25		AT: FORT POINT CHANNEL
MEAN HIGH WATER	5.00		COUNTY: SUFFOLK STATE: MA
VERTICAL DATUM	NGVD 29		SHEET: 1 OF: 10 DATE: 02-02-08
MEAN LOW WATER	-4.51		



MATCHLINE SHEET 3



MATCHLINE

SCALE: 1"=60'



LAT/LONG: 42.3520N, 71.0515W

NAG-2005-3311

PURPOSE:

**BOSTON TEA PARTY
SHIP AND MUSEUM**

TITLE:

**Boston Tea Party Ship
and Museum
PLAN**

APPLICATION BY:

BOSTON TEA PARTY SHIP. INC.

100 YR FLOOD ELEV 10.00
MEAN TIDE LEVEL 0.25
MEAN HIGH WATER 5.00
VERTICAL DATUM NGVD 1929
MEAN LOW WATER -4.51



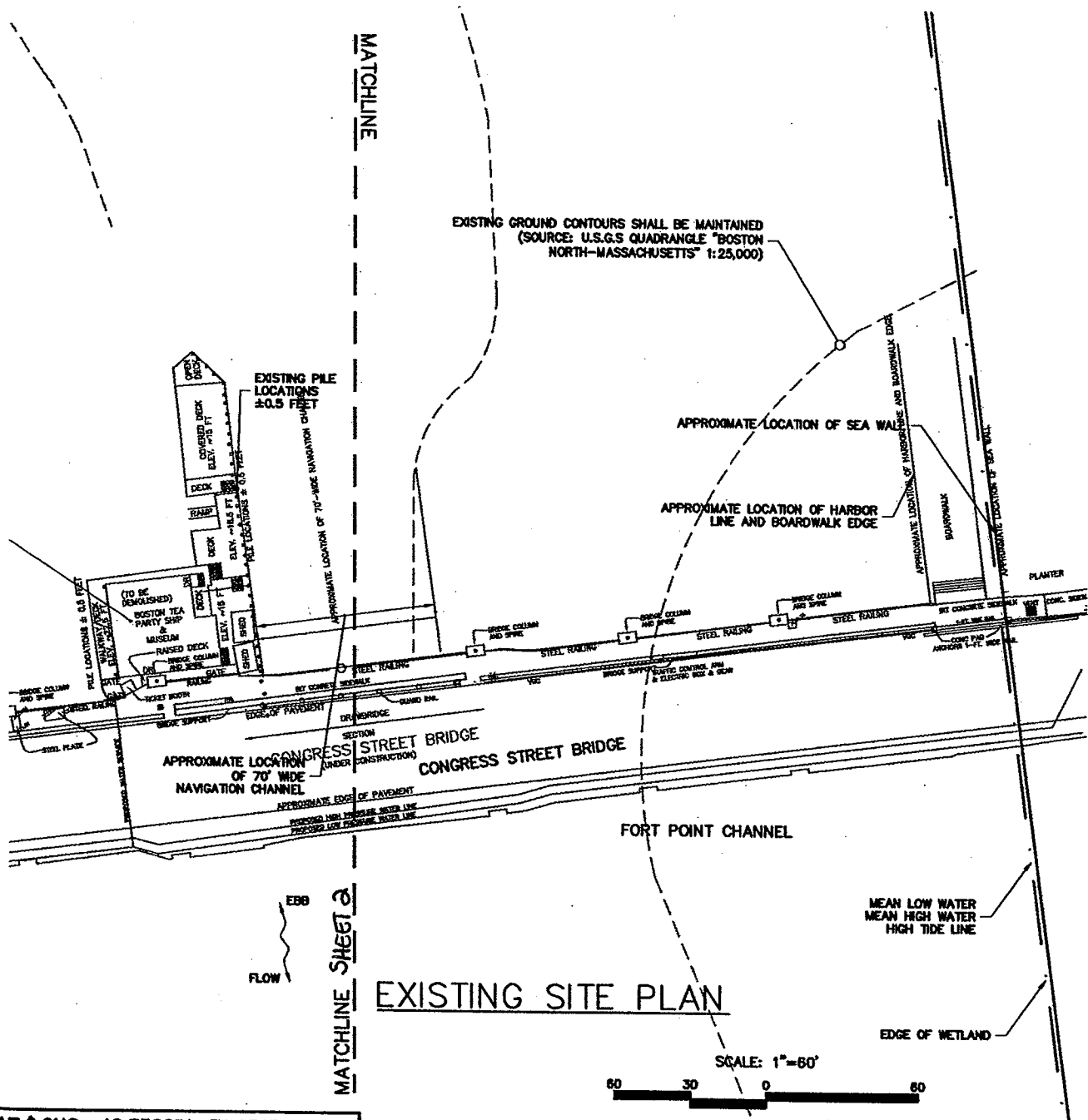
JUDITH NITSCH ENGINEERING, INC.
CIVIL ENGINEERING • LAND SURVEYING
TRAFFIC ENGINEERING • PLANNING • GIS SERVICES
100 Lincoln Street • Suite 200 • Boston, MA 02111-2403
T: (617) 338-0063 • F: (617) 338-6472 • www.jneal.com

IN: BOSTON

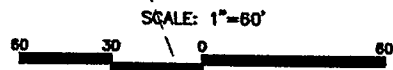
AT: FORT POINT CHANNEL

COUNTY: SUFFOLK STATE: MA

SHEET: 2 OF: 10 DATE: 02-02-08



EXISTING SITE PLAN



LAT/LONG: 42.3520°N, 71.0515°W

PURPOSE:

BOSTON TEA PARTY
SHIP AND MUSEUM

TITLE:

Boston Tea Party Ship
and Museum
PLAN

APPLICATION BY:

BOSTON TEA PARTY SHIP, INC.

100 YR FLOOD ELEV	10.00
MEAN TIDE LEVEL	0.25
MEAN HIGH WATER	5.00
VERTICAL DATUM	NGVD 1929
MEAN LOW WATER	-4.51

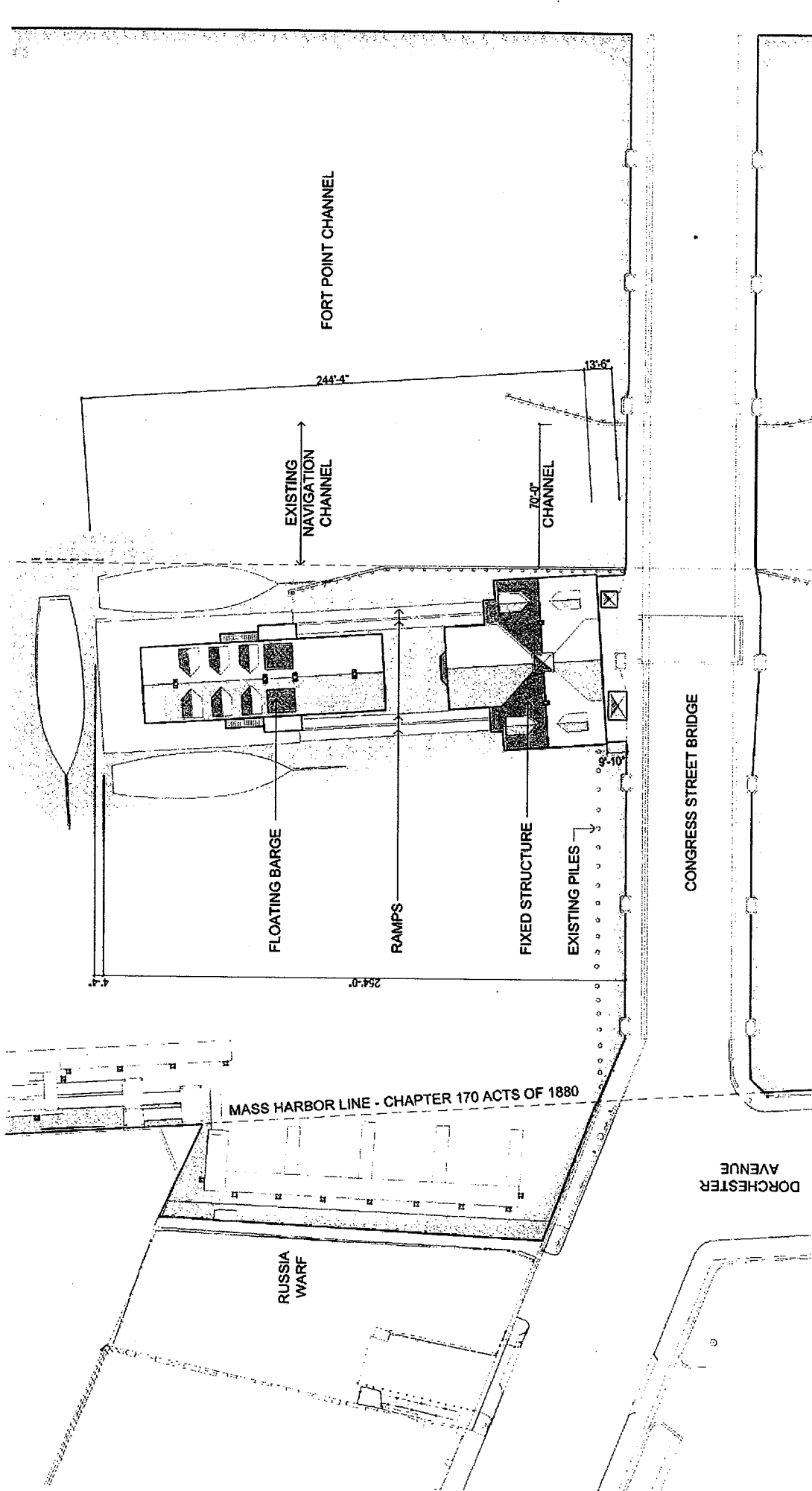
 JUDITH NITSCH ENGINEERING, INC.
CIVIL ENGINEERING • LAND SURVEYING
TRAFFIC ENGINEERING • PLANNING • GIS SERVICES
198 Lincoln Street • Suite 200 • Boston, MA 02111-2403
T: (617) 336-0063 • F: (617) 336-6472 • www.jnei.com

IN: BOSTON

AT: FORT POINT CHANNEL

COUNTY: SUFFOLK STATE: MA

SHEET: 3 OF: 10 DATE: 02-02-06



Proposed Site Plan

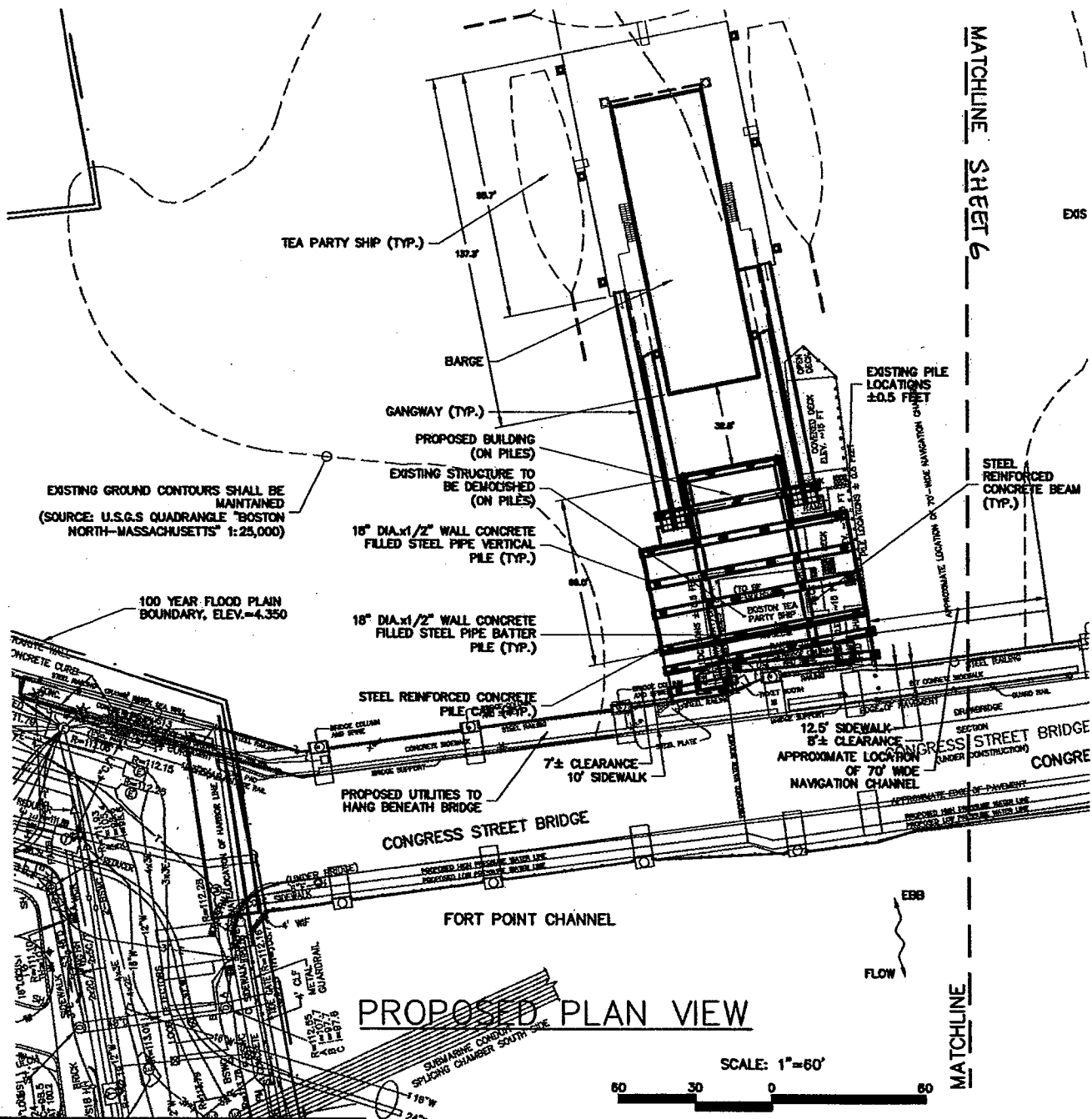
© McManus Peterman Architects, Inc. 02-20-04
McMANUS PETERMAN
 ARCHITECTS, Inc.

NAE-2005-3311
 BOSTON TEA PARTY SHIP, INC.
PROPOSED SITE PLAN
 SHEET 4 of 10
 DATE: 02-02-06

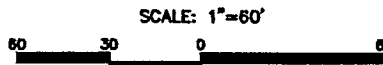
Boston Tea Party and Ship Museum
HISTORIC TOURS OF AMERICA



Figure 5



PROPOSED PLAN VIEW



LAT/LONG: 42.3520°N, 71.0515°W

PURPOSE:

BOSTON TEA PARTY
SHIP AND MUSEUM

TITLE:


Boston Tea Party Ship
and Museum
PLAN

NAE-2005-3311

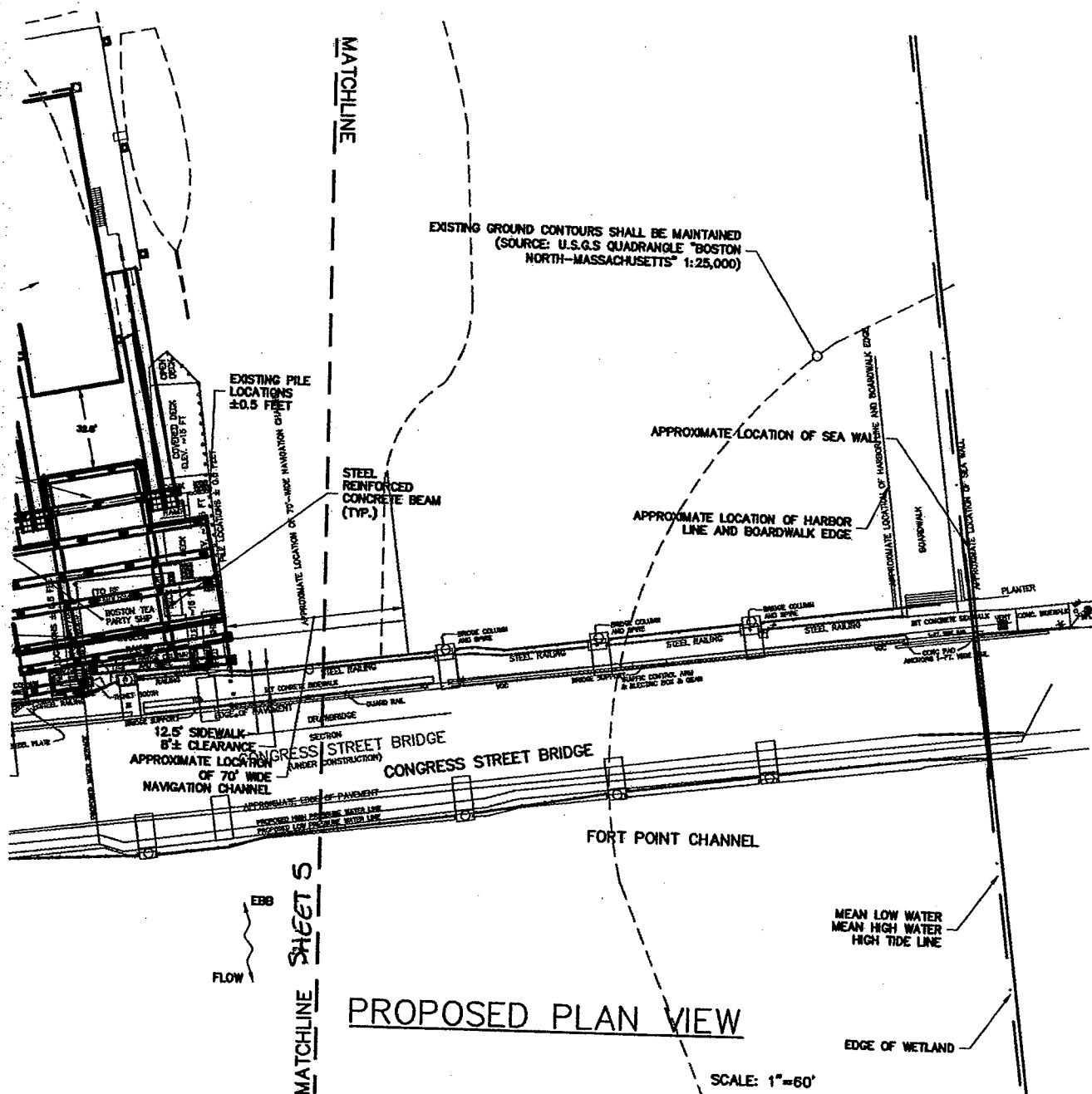
APPLICATION BY:

BOSTON TEA PARTY SHIP, INC.

100 YR FLOOD ELEV	10.00
MEAN TIDE LEVEL	0.25
MEAN HIGH WATER	5.00
VERTICAL DATUM	NGVD 1929
MEAN LOW WATER	-4.51

 JUDITH NITSCH ENGINEERING, INC.
CIVIL ENGINEERING • LAND SURVEYING
TRAFFIC ENGINEERING • PLANNING • GIS SERVICES
188 Lincoln Street • Suite 200 • Boston, MA 02111-2403
T: (617) 338-0063 • F: (617) 338-6472 • www.jneal.com

IN: BOSTON
AT: FORT POINT CHANNEL
COUNTY: SUFFOLK STATE: MA
SHEET: 5 OF: 70 DATE: 02-02-08



LAT/LONG: 42.3520°N, 71.0515°W

PURPOSE:

BOSTON TEA PARTY
SHIP AND MUSEUM

TITLE:

Boston Tea Party Ship
and Museum
PLAN

NAE-2005-3311

APPLICATION BY:

BOSTON TEA PARTY SHIP, INC.

100 YR FLOOD ELEV 10.00
MEAN TIDE LEVEL 0.25
MEAN HIGH WATER 5.00
VERTICAL DATUM NGVD 1929
MEAN LOW WATER -4.51



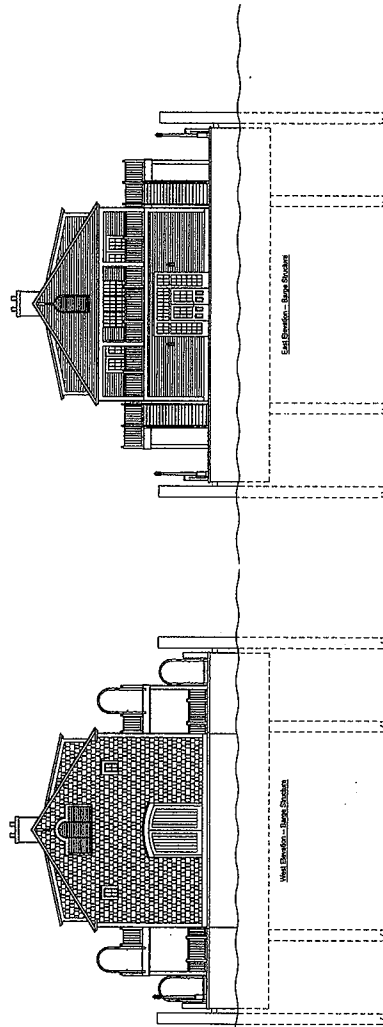
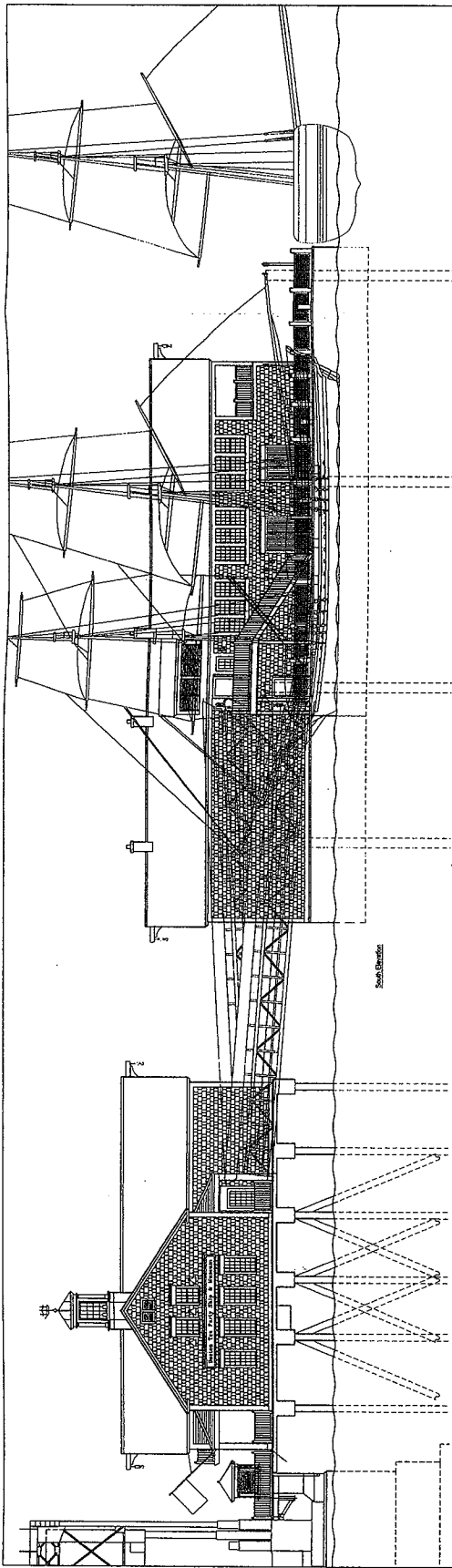
JUDITH NITSCH ENGINEERING, INC.
CIVIL ENGINEERING • LAND SURVEYING
TRAFFIC ENGINEERING • PLANNING • GIS SERVICES
186 Lincoln Street • Suite 200 • Boston, MA 02111-2403
T: (617) 338-0853 • F: (617) 338-5472 • www.jnei.com

IN: BOSTON

AT: FORT POINT CHANNEL

COUNTY: SUFFOLK STATE: MA

SHEET: 6 OF: 70 DATE: 02-02-06



NAE-3005-3311
 BOSTON TEA PARTY SHIP, INC
 SHEET 7 OF 10
 DATE: 02-02-06

MPA
 MCMANUS PETERMAN
 ARCHITECTS, INC.
 27 Market Street
 Cambridge, MA 02142

Historic Tours of America
 Boston, MA

ARCHITECTURE

ARCHITECTURE

CONSTRUCTION MANAGEMENT

STRUCTURAL

STRUCTURAL

CONSTRUCTION MANAGEMENT

REVISIONS

REVISIONS

CONSTRUCTION MANAGEMENT

EXTERIOR ELEVATIONS

EXTERIOR ELEVATIONS

CONSTRUCTION MANAGEMENT

NAE-3005-3311

NAE-3005-3311

CONSTRUCTION MANAGEMENT

EXTERIOR ELEVATIONS

EXTERIOR ELEVATIONS

CONSTRUCTION MANAGEMENT

ARCHITECTURE

ARCHITECTURE

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REVISIONS

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CONSTRUCTION MANAGEMENT

EXTERIOR ELEVATIONS

EXTERIOR ELEVATIONS

CONSTRUCTION MANAGEMENT

NAE-3005-3311

NAE-3005-3311

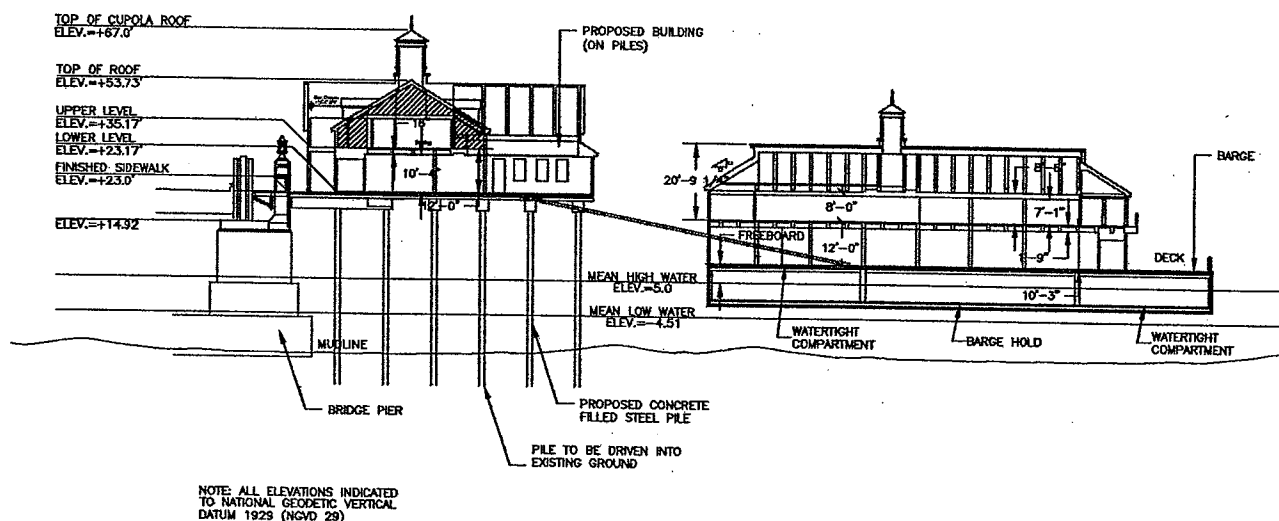
CONSTRUCTION MANAGEMENT

EXTERIOR ELEVATIONS

EXTERIOR ELEVATIONS

CONSTRUCTION MANAGEMENT

Figure 7



SOUTH ELEVATION

NOTE: WATER DEPTHS IN PROJECT AREA
ARE APPROXIMATELY -16.5 TO -20.5 ft NGVD

LAT/LONG: 42.3520N, 71.0515W

NAE-2005-3311

PURPOSE:

**BOSTON TEA PARTY
SHIP AND MUSEUM**

TITLE:

**Boston Tea Party Ship
and Museum
SECTION**

APPLICATION BY:

BOSTON TEA PARTY SHIP. INC.

100 YR FLOOD ELEV	10.00
MEAN TIDE LEVEL	0.25
MEAN HIGH WATER	5.00
VERTICAL DATUM	NGVD 1929
MEAN LOW WATER	-4.51



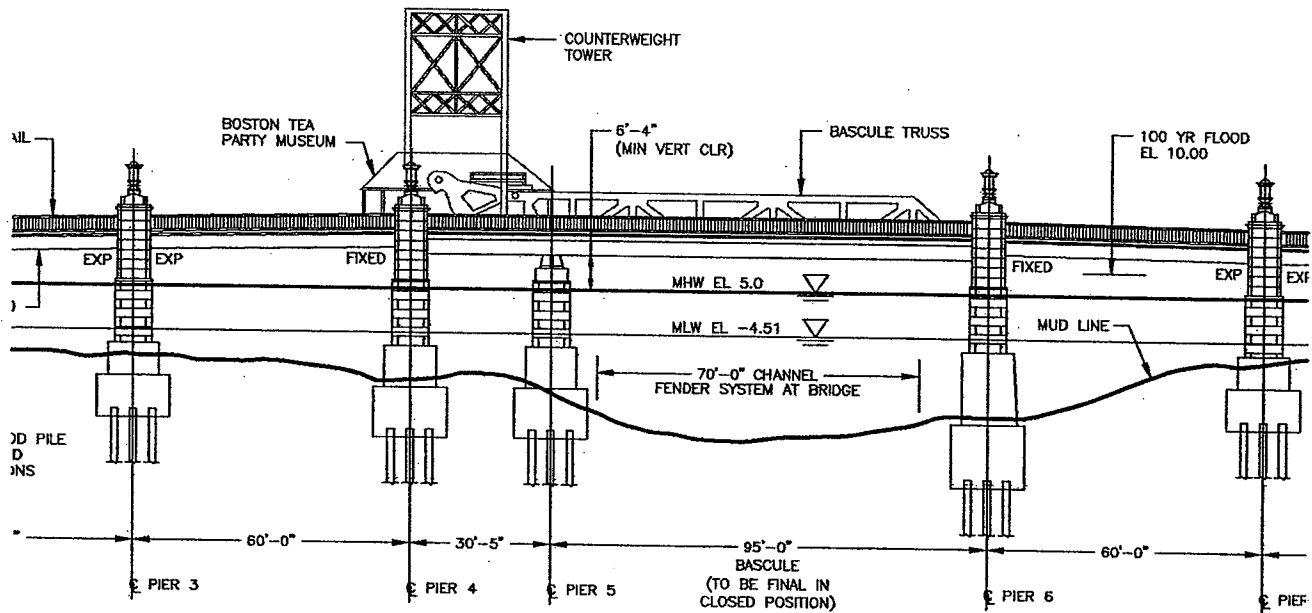
JUDITH NITSCH ENGINEERING, INC.
CIVIL ENGINEERING • LAND SURVEYING
TRAFFIC ENGINEERING • PLANNING • GIS SERVICES
100 Lincoln Street • Suite 200 • Boston, MA 02111-2403
T: (617) 338-0063 • F: (617) 338-6472 • www.jne.com

IN: BOSTON

AT: FORT POINT CHANNEL

COUNTY: SUFFOLK STATE: MA

SHEET: 8 OF: 10 DATE: 02-02-08



EAST ELEVATION

LAT/LONG: 42.3520°N, 71.0515°W	
PURPOSE:	
BOSTON TEA PARTY SHIP AND MUSEUM	

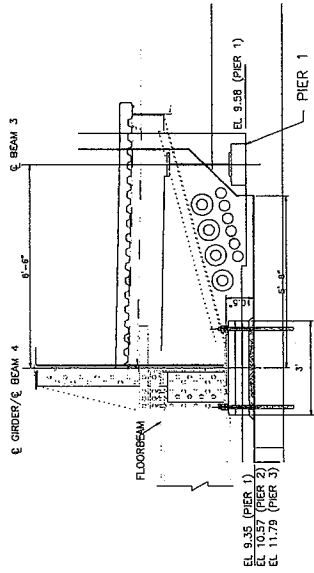
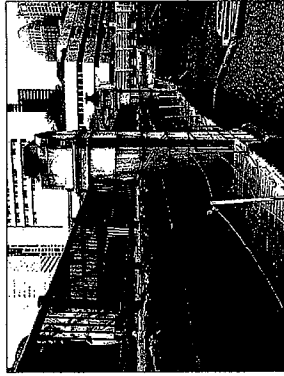
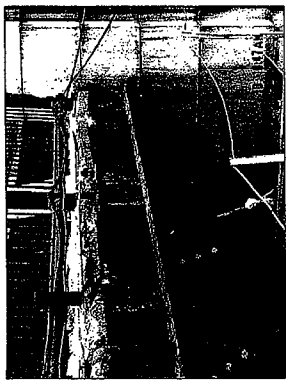
100 YR FLOOD ELEV	10.00
MEAN TIDE LEVEL	0.25
MEAN HIGH WATER	5.00
VERTICAL DATUM	NGVD 1929
MEAN LOW WATER	-4.51

TITLE:
Boston Tea Party Ship and Museum SECTION

	JUDITH NITSCH ENGINEERING, INC. CIVIL ENGINEERING • LAND SURVEYING TRAFFIC ENGINEERING • PLANNING • GIS SERVICES 100 Lincoln Street • Suite 200 • Boston, MA 02111-2403 T: (617) 338-0053 • F: (617) 338-6472 • www.jneal.com
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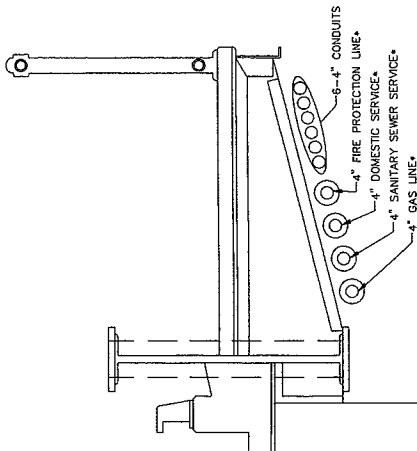
NA6-2005-3311
APPLICATION BY:
BOSTON TEA PARTY SHIP. INC.

IN: BOSTON
AT: FORT POINT CHANNEL
COUNTY: SUFFOLK STATE: MA
SHEET: 9 OF 10 DATE: 02-02-08



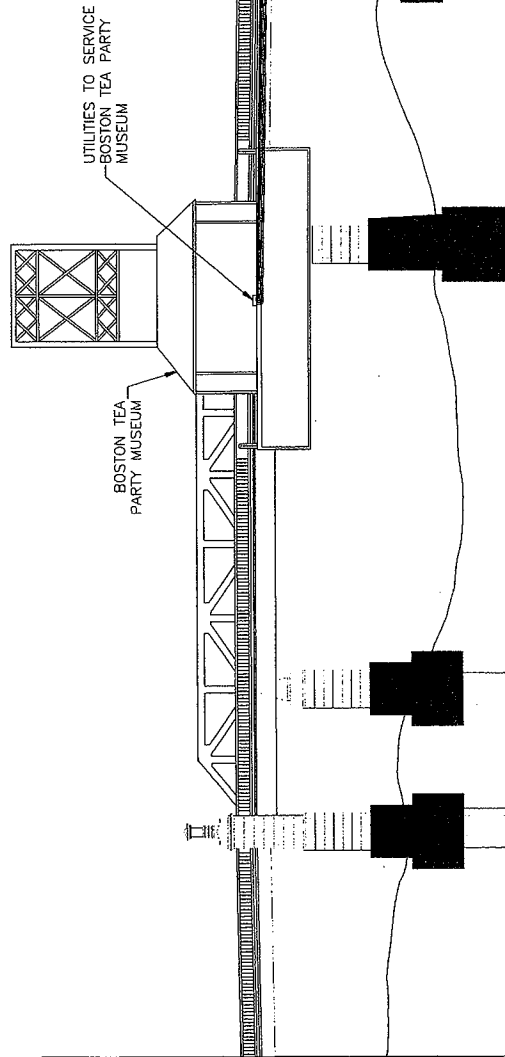
UTILITY INTERFACE AT PIER

NOT TO SCALE



UTILITY SUSPENSION

NOT TO SCALE



CONGRESS STREET BRIDGE-NORTH ELEVATION

DRAFT FOR REVIEW

NAE - 2005-3311
BOSTON TEA PARTY SHIP, INC.
SHEET 10 OF 10
DATE: 02-02-06

JUDITH HUTCH ENGINEERING, INC.
100 STATE STREET, SUITE 200
BOSTON, MA 02109
TEL: 617-552-1100
FAX: 617-552-1101
WWW.JHE-INC.COM

Figure 12
June 13, 2005